

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



City Council Members

Ward 1 Position 1 – Andy Hawkins

Ward 1 Position 2 – David Grimes

Ward 2 Position 1 – Mark Vaught

Ward 2 Position 2 – Shelley Mehl

Ward 3 Position 1 – Jim Rhodes

Ward 3 Position 2 – Mary Smith

Ward 4 Position 1 – Theodore Jones Jr.

Ward 4 Position 2 – Shelia Whitmore

City of Conway - City Council Meeting

www.cityofconway.org

Tuesday, November 13th, 2012 @ 6:30pm

Judge Russell L. "Jack" Roberts District Court Building – 810 Parkway St., Conway, AR 72032

5:30pm - Committee Meeting:

2013 Street Projects

Call to Order: Mayor Tab Townsell
Roll Call: Michael O. Garrett, City Clerk/Treasurer
Minutes: October 23rd, 2012 City Council Meeting
Announcements/Proclamations/Recognitions:

1. Report of Standing Committees:

A. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)

1. Resolution requesting the Faulkner County Tax Collector place a certified lien on properties located at 2405 Parkview Circle for incurred expenses by the City of Conway.
2. Resolution in support of a Brownfield's land recycling program and environmental protection agency Brownfield's community-wide assessment grant application for the City.
3. Resolution for approval of the preferred alternative route for the extension of State Highway 25 North of Interchange on Interstate 40.
4. Consideration of bids for the Traffic Signal Modifications (Oak Street & Museum Road, Harkrider Street & Elsinger Blvd).

B. Public Safety Committee (Police, Fire, CEOC, Information Technology, City Attorney, & Animal Welfare)

1. Ordinance approving disposal of cellular telephone equipment for the IT Department.
2. Ordinance waiving bids/sole source vendor for the replacement and/or upgrade of multifunction copiers for the IT Department.
3. Ordinance appropriating grant funds received for the Conway Police Department.
4. Ordinance accepting donation funds and appropriating funds for the Conway Fire Department.
5. Ordinance accepting and appropriating grant proceeds received from the ADEM and DHS/FEMA for the Conway Fire Department Bomb Squad.

C. Personnel

1. Discussion/Consideration of 2013 Medical/Dental/Life/Voluntary Benefits.

(Information will be provided prior to meeting)

D. Finance

1. Consideration to dispose of certain inventory for the City of Conway.

Old Business

New Business

Adjournment

Committee Meeting

**CITY OF CONWAY
POSSIBLE STREET PROJECTS FOR 2013
October 26, 2012**

A. AVAILABLE FUNDS FOR MAINTENANCE & REHAB PROJECTS IN STREET FUND BUDGET:

	\$ 820,000	Usual Street Fund Overlay Allowance
	\$ 150,000	Severance Tax (Alternative Transportation)
Total Funds	\$ 970,000	

B. 2012 PROJECTS FUNDED AND NOT COMPLETED

3 LOWER RIDGE @ U.S. 65	Realign Intersection & Connect to shopping center	\$	125,000	2
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C. NEEDED STREET RECONSTRUCTION PROJECTS:

			CITY FORCES	CONTRACTOR EST. COST	Ward	
1	MARKHAM STREET	Van Ronkle to Garland	Street Recon + Street Scape	\$ 150,000	\$ 300,000	2
2	MAIN & FRONT West Side	Adjacent parking lots + Main	Street Recon + Street Scape	\$ 100,000	\$ 175,000	4
3	OAK & VAN RONKLE REHAB	Add West bound lane to Oak From Hark to Court to Van Ronkle		\$ 150,000	\$ 250,000	2
4	WESTERN AVE.	Caldwell to Robinson	Right of Way now available	\$ 90,000	\$ 200,000	3
5	MIDDLE ROAD	Amity to Southland	2000' 36' curbed	\$ 300,000	\$ 550,000	4
6	MIDDLE ROAD	Southland to E. German	1800' - 36' curbed	\$ 275,000	\$ 500,000	4
7	BLANEY HILL ROAD	HWY 25 to Stone Rd.	3600'	\$ 540,000	\$ 900,000	2
8	STANLEY RUSS ROAD	Bill Bell Lane to S.Donaghey	6000' 36' curbed	\$ 900,000	\$ 1,500,000	4
9	GRIFFIN STREET	Bruce to McKay	630' 27' curbed	\$ 55,000	\$ 120,000	4
10	WESCON LANE	Westin Park to College	36' Curbed + New Box Culvert	\$ 180,000	\$ 500,000	3
11	WASHINGTON AVE	Fleming to Front	36' Curbed -3,000'	\$ 300,000	\$ 600,000	4
12	NUTTER CHAPEL ROAD	Catherine Place to Salem	36' Curbed - 1,800'	\$ 275,000	\$ 540,000	1
13	SHADY LANE	Red Oak to End	Replace Concrete	\$ 40,000	\$ 85,000	3
14	RED OAK	Shady Lane to Salem	Replace Concrete	\$ 66,000	\$ 130,000	3
15	SMOKING OAKS RD.	Salem to Morningside	Replace Concrete	\$ 126,000	\$ 260,000	3
16	JEFFERSON PLACE	Lexington Crown Pt to Yorktown	Replace Concrete -900'	\$ 60,000	\$ 120,000	3
17	JEFFERSON PLACE	Lexington - CC to CrownPt.	Replace Concrete - 1,000'	\$ 70,000	\$ 140,000	3
18	JEFFERSON PLACE	Lexington - Prince to Yorktown	Replace Concrete -400'	\$ 35,000	\$ 70,000	3
19	JEFFERSON PLACE	West Point	Replace Concrete	\$ 37,000	\$ 75,000	3
20	JEFFERSON PLACE	Brandywine	Replace Concrete	\$ 25,000	\$ 50,000	3
21	JEFFERSON PLACE	Bunker Hill	Replace Concrete	\$ 27,000	\$ 54,000	3
22	JEFFERSON PLACE	Yorktown	Replace Concrete	\$ 27,000	\$ 54,000	3
23	SANDSTONE	South of Tucker Creek	Replace Concrete	\$ 100,000	\$ 200,000	3
24	AUGUSTA	Robinson to Louvenia (Hospital)	New Asphalt Street	\$ 90,000	\$ 180,000	4
SUBTOTAL STREET RECONSTRUCTION PROJECTS				\$ 4,018,000	\$ 7,553,000	

D. NEEDED STREET OVERLAYS & REPAIRS:

				Ward	
1	HOGAN LANE	College to Dave Ward (Pavement starting to fail)	\$ 150,000	1	
2	HOGAN LANE	Tyler to Prince (Pavement starting to fail)	\$ 150,000	3	
3	TYLER STREET	Country Club to Hogan	\$ 195,000	3	
4	SHERMAN OAKS	South of Prince & East of Country Club	\$ 33,000	3	
5	Dallas Lp	Royal Oaks / Koooked kreek	\$ 25,000	3	
6	Benton Cv	Royal Oaks / Koooked kreek	\$ 5,000	3	
7	Chicot Dr.	Royal Oaks / Koooked kreek	\$ 45,000	3	
8	Drew Dr.	Royal Oaks / Koooked kreek	\$ 3,500	3	
9	Baxter Dr.	Royal Oaks / Koooked kreek	\$ 36,000	3	
10	Royal Dr.	Royal Oaks / Koooked kreek	\$ 34,000	3	
11	Colombia Dr.	Royal Oaks / Koooked kreek	\$ 33,000	3	
12	Vineyard	Quail Creek	asphalt overlay	\$ 39,000	2
13	Chablis	Quail Creek	asphalt overlay	\$ 15,000	2
14	Marlsgate	Quail Creek	asphalt overlay	\$ 39,000	2
15	Pippenpost Streets		asphalt overlay	\$ 85,000	

TOTAL STREET OVERLAY **\$ 887,500**

**CITY OF CONWAY, ARKANSAS
FUNDS AVAILABLE FOR MAJOR STREET PROJECTS:**

AUGUST 2012

	ESTIMATED STREET PROJECT REVENUE		CUMULATIVE REVENUE	Funds needed	Cummulative	NET
	PAY AS YOU GO SALES TAX	IMPACT FEE		For Projects	Funds Needed	FUND BALANCE
End 2010	\$	2,500,000	\$ 950,000	\$ 3,450,000		\$ 3,450,000
2011 Projects:						
College Ave - Locust to Harkrider				\$ 870,000		
Dave Ward - Donaghey Intersection Improvements				\$ 150,000		
Prince Street - Western to Salem				\$ 150,000		
Farris Road - Bruce to Dave Ward				\$ 500,000		
Old Military - McNutt Realignment				\$ 572,000		
Nina Russ - Fence Along Nina Russ & Meadows North Line				\$ 130,000		
Museum Road ROW				\$ 210,000		
Total 2011	\$	2,500,000	\$ 610,000	\$ 2,582,000	\$ 2,582,000	\$ 3,978,000
2012 Projects:						
Prince Street - Western to Salem				\$ 3,260,000		
Prince Street Right of Way				\$ 600,000		
Farris Road - Bruce to Dave Ward				\$ 725,000		
Old Military - McNutt Realignment (Complete Earthwork)				\$ 300,000		
Old Military - Nutter Chapel - Project 1 (McNutt to Nutter Chapel)				\$ 1,875,000		
Old Military - Nutter Chapel - Project 2 (Nutter Chapel & New School)				\$ 1,325,000		
Museum Road - Oak to Halter				\$ 300,000		
Museum at Oak Signal Modification				\$ 60,000		
Western Loop - Grading & Drainage				\$ -		
Total 2012	\$	2,500,000	\$ 600,000	\$ 8,445,000	\$ 11,027,000	\$ (1,367,000)
2013 Projects						
Interest on 2012 Loan				\$ 68,350		
Western Loop - Structures & Grading - Stage 1a (RR to Sturgis)				\$ 4,500,000		
2013	\$	2,500,000	\$ 600,000	\$ 4,568,350	\$ 15,595,350	\$ (2,835,350)
2014 Projects						
Interest on 2013 Loan				\$ 141,768		
Sturgis Rd Imp (Round Mtn Rd. to Loop) + Roundabout at Sturgis & Round Mtn.				\$ 500,000		
Western Loop - Base & Surfacing - Stage 1a (RR to Sturgis)				\$ 3,300,000		
2014	\$	2,500,000	\$ 600,000	\$ 3,941,768	\$ 19,537,118	\$ (3,677,118)
2015 Projects						
Interest on 2014 Loan				\$ 183,856		
2015	\$	2,500,000	\$ 600,000	\$ 183,856	\$ 19,720,973	\$ (760,973)
2016 Projects						
Interest on 2015 Loan				\$ 38,049		
2016	\$	2,500,000	\$ 700,000	\$ 38,049	\$ 19,759,022	\$ 2,400,978
				\$ 19,759,022		
OTHER MAJOR STREET Projects						
AIRPORT ENTRANCE ROAD	Need to build in 2013	CONTRACT CONSTR.		\$800,000		
		CITY FORCES		\$500,000		
ELSINGER I-40 OVERPASS	NEED TO BUILD IN 2015			\$ 6,000,000		
MID TOWN EXPRESSWAY - PHASE 1	OAK @ I-40 TO ELSINGER OVERPASS (2016)			\$2,500,000		
MID TOWN EXPRESSWAY - PHASE 2	ELSINGER OVERPASS TO BRUCE-HARKRIDER			\$3,000,000		



**City of Conway, Arkansas
Resolution No. R-12-_____**

A RESOLUTION REQUESTING THE FAULKNER COUNTY TAX COLLECTOR PLACE A CERTIFIED LIEN AGAINST REAL PROPERTY AS A RESULT OF INCURRED EXPENSES BY THE CITY OF CONWAY; AND FOR OTHER PURPOSES.

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, the City of Conway has corrected conditions existing on 2405 Parkview Circle within the City of Conway and is entitled to compensation pursuant to Ark. Code § 14-54-904: and

WHEREAS, State law also provides for a lien against the subject property, with the amount of lien to be determined by the City Council at a hearing held after the notice to the owner thereof by certified mail with said amount \$226.73 (\$178.85 + Penalty-\$17.88 + filing fee-\$30.00) to be thereafter certified to the Faulkner County Tax Collector; and

WHEREAS, a hearing for the purpose of determine such lien has been set for **November 13th, 2012** in order to allow for service of the attached notice of same upon the listed property owners, by certified or publication as is necessary.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Conway, Arkansas that:

SECTION 1: That after said public hearing the amount listed above is hereby certified and is to be forwarded to the Faulkner County Tax Collector and Assessor by the City of Conway.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 13th, day of November, 2012.

Approved:

Mayor Tab Townsell

Attest:

**Michael O. Garrett
City Clerk/Treasurer**

City of Conway
Code Enforcement

1201 Oak Street
Conway, Arkansas 72032
www.cityofconway.org



Barbara McElroy
Permits & Planning Dept.
Phone 501-450-6107
Fax 501-450-6144

October 10, 2012

Parcel # 710-07675-000

Deutsche Bank National Trust
QBE First Property Tax Solutions
Att; Melinda Roebuck
210 Interstate N. Parkway 400
Atlanta, GA 30339

RE: Nuisance Abatement at 2405 Parkview Circle, Conway AR
Cost of Clean-Up, Amount Due: \$178.85

To whom it may concern,

Because you failed or refused to remove, abate or eliminate certain conditions on the aforementioned real property in the City of Conway, after having been given seven (7) days notice in writing to do so, the City of Conway was forced to undertake the cleanup of this property to bring it within compliance of the Conway Municipal Code.

The City of Conway is requesting payment for all costs expended in correcting said condition. If after thirty (30) days from the receipt of this letter notifying you of the cost to correct said condition, such payment has not been remitted to the City, the City has the authority to file a lien against real estate property for the cost expended after City Council approval.

At its **November 13th, 2012 Meeting**, 6:30 p.m. located at 810 Parkway Street, the City Council will conduct a public hearing on three items:

1. Consideration of the cost of the clean-up of your real property.
2. Consideration of placing a lien on your real property for this amount.
3. Consideration of certifying this amount determined at the hearing, plus a ten percent (10%) penalty for collection & filing fees, to the Tax Collector of Faulkner County to be placed on the tax books as delinquent taxes and collected accordingly.

None of these actions will be necessary if full payment is received before the meeting date. Please make check payable to the **City of Conway** and mail to **1201 Oak Street Conway Arkansas 72032** with the **attention** to **Barbara McElroy**. If you have any questions, please feel free to call me at 501-450-6191.

Sincerely,

Barbara McElroy

City of Conway
Planning & Development
1201 Oak Street
Conway, Arkansas 72032



Barbara McElroy
Administrative Assistant
Phone: 501-450-6107
Fax: 501-450-6144

MEMO:

To: Mayor Tab Townsell
CC: City Council Members

From: Barbara McElroy
Date: November 5th, 2012

Re: 2405 Parkview Circle

- August 20th, 2012– Warning Violation written regarding grass, rubbish, trash and appliance/furniture on property.
- Property Owner is listed as Deutsche National Trust.
- Property was rechecked on 8/28/2012 with no progress made.
- I (Barbara) had left message for Melinda with QBE First Property Tax Solutions that the property was in violation and that she needed to contact me and she never did.
- Property was rechecked on 9/6 and 9/17 with no progress.
- Certified and regular letters were mailed 9/18/2012 to address on file.
- Property was rechecked on 9/28/2012 with some progress and then was rechecked on 10/8/2012 with no more progress.
- Final Cleanup was sent on 10/8/2012 and was finished on 10/10/2012.
- Certified and regular letters were sent including date, time & place of the City Council meeting.

If you have any questions please advise.

INVOICE

City of Conway Code Enforcement

DATE: NOVEMBER 9, 2012

1201 Oak Street
Conway, AR 72032
Phone: 501-450-6191
Fax 501-450-6144
barbara.mcelroy@cityofconway.org

TO Deutsche Bank National Trust
QBE First Property Tax Solutions
Att: Melinda Roebuck
210 Interstate N. Parkway 400
Atlanta, GA 30339

Description: Mowing/Clean up/Admin Fees
associated with the nuisance abatement at
2405 Parkview Circle

CODE ENFORCEMENT OFFICER	PARCEL NUMBER	PAYMENT TERMS	DUE DATE
Grant Tomlin	710-07675-000	Due upon receipt	November 10th, 2012

HOURS	DESCRIPTION	UNIT PRICE	LINE TOTAL
2	Mowing	17.99	35.98
2	Mowing	13.75	27.50
2	Mowing	13.21	26.42
	Landfill Fee	13.04	13.04
	Landfill Fee	3.50	3.50
1	Administrative Fee (Barbara McElroy)	24.15	24.15
1	Administrative fee (Grant Tomlin)	19.10	19.10
1	Administrative Fee (Glenn Berry)	21.70	21.70
2	Certified Letter	3.29	6.58
2	Regular letter	.44	.88

- Total amount due after 11/13/2012 includes collection penalty & filing fees

TOTAL BY 11/10/2012	\$178.85
TOTAL AFTER 11/13/2012	\$226.73

Make all checks payable to City of Conway Code Enforcement @ 1201 Oak Street Conway Arkansas 72032

Payments are due 30 days from date of this letter;

**Conway Code Enforcement
Incident Report**

Date of Violation: August 20, 2012

Violator Name: Deutsche Bank National Trust

Address of Violation: 2405 Parkview Circle

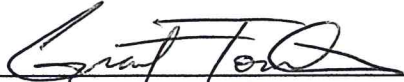
Violation Type: Tall grass, rubbish/trash, appliance/furniture

Warning #: CE5862

Description of Violation and Actions Taken:

On 8-20-12, I received a complaint regarding the property located at 2405 Parkview Circle. Upon arrival at this residence, I found that it was in violation of the Conway Nuisance Abatement Code, sections 3.2.4 (tall grass), 3.5.1 (rubbish/trash) and 3.5.3 (appliance/furniture). The residence was vacant at this time and appeared to be in possible foreclosure. I looked up the registered owner through Arkansas County Data, which showed to be Deutsche Bank National Trust and issued a written warning for the listed violations. A recheck was done on 8-28-12 with no progress shown. On 8-29-12, Code Enforcement assistant Barbara McElroy called Deutsche Bank to speak with Melinda (person in property maintenance) about the property. McElroy's call was not returned. A recheck was conducted on 9-6-12 and again on 9-17-12 with no progress shown. Certified letters were sent to the bank on 9-18-12 regarding the violations. The property was rechecked on 9-28-12 by Code Enforcement Officer Bill Haynes since I was on vacation. Some progress had been made at this time (grass had been mowed). I rechecked the property again on 10-8-12 and no other progress had been made. Cleanup was scheduled at this time. The property was cleaned on 10-10-12 and pictures were taken both before and after cleanup was done. Pictures are on file for review.

Code Enforcement Officer: Grant Tomlin # 407

Officer Signature:  _____

Date: 11-1-12 **Time:** 1401



**City of Conway, Arkansas
Resolution No. R-12-___**

A RESOLUTION BY THE CITY COUNCIL IN SUPPORT OF A BROWNFIELDS LAND RECYCLING PROGRAM AND ENVIRONMENTAL PROTECTION AGENCY BROWNFIELDS COMMUNITY-WIDE ASSESSMENT GRANT APPLICATION FOR THE PURPOSE OF PROMOTING COMMUNITY AND ECONOMIC REDEVELOPMENT EFFORTS THROUGHOUT THE CITY.

Whereas, the City of Conway has within its boundaries abandoned, idle, or underused industrial and commercial areas where expansion or redevelopment is complicated by real or perceived environmental contamination; and

Whereas, the City of Conway is committed to being good stewards of our urban and natural environments and desires to execute a direct role in assessing and remediating contaminated or blighted areas; and

Whereas, the City of Conway is committed to being a partner in fostering expanded job opportunities, workforce development training, entrepreneurship, and a strong tax base; and

Whereas, an application for reimbursable Environmental Protection Agency 2013 Brownfields Community-Wide Assessment Grant is being sought to afford the City of Conway programmatic funds for a 2013-2015 Conway Brownfields Land Recycling Program; and

Whereas, the City Council wishes to add its support in the establishment of a Conway Brownfields Advisory Board, the Conway Brownfields Land Recycling Program, and the application of the 2013 Assessment Grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That the City of Conway, Arkansas does hereby express its support for the Brownfields Community-Wide Assessment Grant application, the Brownfields Land Recycling Program, and the Conway Brownfields Advisory Board in order to promote and foster the responsible redevelopment of certain parcels of property within the City. The Director of Planning and Development and/or the Mayor will be the City representative with the authority to sign agreements and contracts regarding the project.

PASSED THIS 13th day of November, 2012

Approved:

Mayor Tab Townsell

Attest

**Michael O. Garrett
City Clerk/Treasurer**



**City of Conway, Arkansas
Resolution No. R-12-___**

RESOLUTION OF THE CITY COUNCIL OF CONWAY, ARKANSAS, PERTAINING TO PREFERRED ALTERNATIVE ROUTE FOR THE EXTENSION OF STATE HIGHWAY 25 NORTH OF INTERCHANGE ON INTERSTATE 40 AT MILE 124

WHEREAS, the Arkansas State Highway and Transportation, Faulkner County Quorum Court and the City Council of Conway, Arkansas have agreed that a new roadway extending northward from the I-40 Interchange at Mile 124 to Arkansas State Highway 25 is considered necessary for the area transportation system; and

WHEREAS, this project (AHTD Project No. 080397) is included on the Arkansas Highway and Transportation Department's Statewide Transportation Improvement Plan (STIP) for 2013 thru 2016 with a projected bid date of 2014 and an estimated project cost of \$6,000,000; and

WHEREAS, the State of Arkansas has held a Location Public Hearing regarding possible alternative alignments for this project at Don Owens Sports Center at 10 Lower Ridge Road on Thursday, August 9, 2012; and

WHEREAS, at this Public Hearing two alternative routes were presented. The "Red Route" extended generally north from the Interchange at Interstate 40 Mile 124 to connect to existing State Highway 25 north of Friendship Road. The "Yellow Route" extend northward from the Interchange at Interstate 40 Mile 124 thence turned eastward along Blaney Hill Road to Arkansas State Highway 25 and then general followed the existing route of Arkansas State Highway 25 thru the Eagle Shore Drive Intersection and then connected to the existing roadway.

NOW, THEREFORE, BE IT RESOLVED that the Conway City Council has reviewed the two alternative routes described above and hereby designates the "Red Route" alternative as the route deemed more appropriate for the proposed roadway.

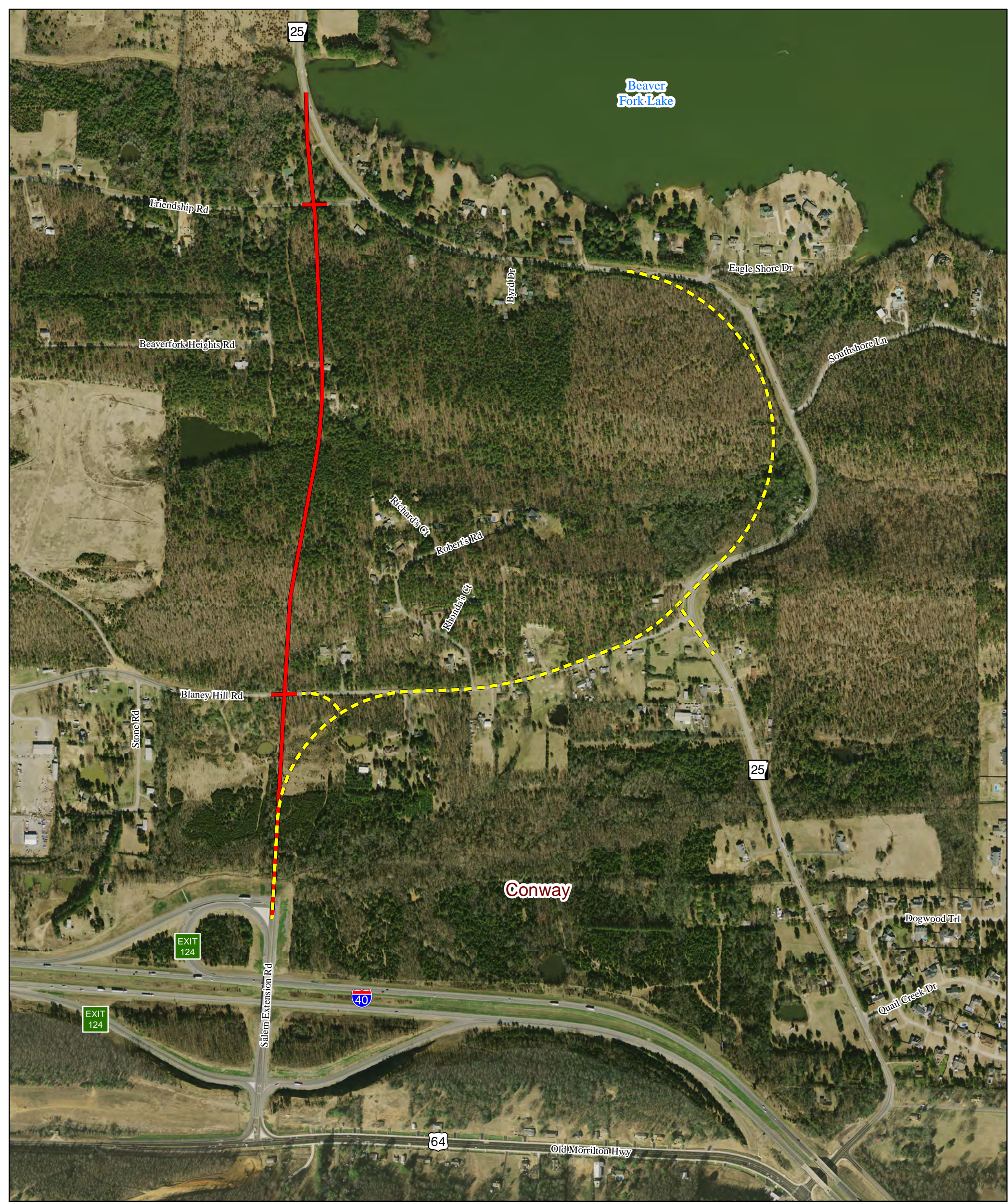
PASSED this 13th day of November, 2012.

Approved:


Mayor Tab Townsell

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



Notes:



 0 300 600

 Feet

 AHTD - Environmental GIS - Strawn

 Map Date: August 3, 2012



 Meeting Date: August 9, 2012

 Location Public Hearing Handout



Job 080397
 Hwy. 25 Relocation
 (I-40 North)
 Faulkner County

Preliminary
 Subject to Revision

	Yellow Alternative
	Red Alternative

Photography Date: Faulkner County 2009



City of Conway
Street and Engineering Department
100 East Robins Street
Conway, AR 72032

B. Finley Vinson, P.E.
Traffic Engineer
finley.vinson@cityofconway.org
501-450-6165

November 8, 2012

Mayor Tab Townsell
City Hall
1201 Oak Street
Conway, Arkansas 72032

Re: Traffic Signal Modifications
Oak Street & Museum Road, Harkrider Street, and Elsinger Boulevard

Dear Mayor Townsell,

Bids were received at 10:00 AM, Thursday, October 30, 2012 at Conway City Hall for the above referenced project. This project involves modification of the traffic signal at Oak Street and Museum Road to accommodate the Museum Road reconstruction. In addition, the project includes the replacement of the old damaged wiring at Oak Street and Harkrider Street as well as the installation of a battery back-up system at Oak Street and Elsinger Boulevard. One bid was received and is listed below. Details are included on the enclosed bid tab.

Construction Management and Maintenance Company, Inc.	\$69,775.75
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I recommend rejection of this bid based upon the fact that several interested bidders were unable to get their bid packages together in time and the fact that equipment backorder delays prevent the contractor from meeting the current completion deadline. Rebidding the project with a more lenient completion date should provide more competitive bidding.

Please advise if you have questions or need additional information.

Sincerely,

B. Finley Vinson III, P.E.

**TRAFFIC SIGNAL MODIFICATIONS FOR OAK STREET & MUSEUM ROAD, HARKRIDER STREET, AND ELSINGER BOULEVARD
CONWAY, ARKANSAS**

SUMMARY OF BIDS RECEIVED 10:00A.M., OCTOBER 30, 2012

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNITS	CM&M		ENGINEER'S ESTIMATE	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	OAK & MUSEUM TRAFFIC SIGNAL MODIFICATIONS	1	L.S.	\$ 45,299.75	\$ 45,299.75	\$ 45,000.00	\$ 45,000.00
2	OAK & HARKRIDER TRAFFIC SIGNAL MODIFICATIONS	1	L.S.	\$ 21,476.00	\$ 21,476.00	\$ 10,000.00	\$ 10,000.00
3	OAK & ELSINGER TRAFFIC SIGNAL MODIFICATIONS	1	L.S.	\$ 3,000.00	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00
TOTAL					\$ 69,775.75		\$ 56,500.00



City of Conway, Arkansas
Ordinance No. O-12- _____

AN ORDINANCE APPROVING DISPOSAL OF CELLULAR TELEPHONE EQUIPMENT FOR THE INFORMATION TECHNOLOGY DEPARTMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, the City of Conway has surplus cellular telephone equipment which is obsolete, no longer used by the City, and of no value to the City; and

WHEREAS, the vast majority of the surplus cellular equipment was received at no cost to the City of Conway; and

WHEREAS, the City of Conway will be disposing of surplus cellular telephone equipment in an environmentally conscious manner.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS, THAT:

SECTION 1. The City of Conway Information Technology Department shall obtain quotes from companies wishing to purchase surplus cell equipment and sell to the highest bidder.

SECTION 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 3. This ordinance is necessary for the protection of the public peace, health, and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 13th day of November, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



City of Conway, Arkansas
Ordinance No. O-12-_____

AN ORDINANCE WAIVING BIDS FOR THE REPLACEMENT AND/OR UPGRADE OF; MULTIFUNCTION COPIER FOR THE CITY OF CONWAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway has an immediate need to install new or replace Multifunction Copiers in various departments within the city; and

WHEREAS, Capital Business Machines has provided Multifunction Copiers and maintenance support for several departments in the City of Conway for over 10 years; and

WHEREAS, the Conway Information Technology Department has determined that the Kyocera brand Multifunction Copiers are best suited for the City of Conway based on customer feedback (City Departments) and the return on investment; and

WHEREAS, the Information Technology Department solicited competitive quotes from several vendors at which time Capital Business Machines was the lowest; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1. The City of Conway shall waive the requirement of obtaining competitive bids for the execution of purchasing Multifunction Copiers and shall accept Capital Business Machines for the City of Conway as sole source vendor.

Section 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

Section 3. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 13th day of November, 2012.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer



**City of Conway, Arkansas
Ordinance No. O-12-__**

AN ORDINANCE APPROPRIATING GRANT FUNDS RECEIVED FOR THE CONWAY POLICE DEPARTMENT; AND FOR OTHER PURPOSES

WHEREAS, the City of Conway has received funds in the amount of \$25,916 as part of the Edward Byrne Memorial Justice Assistance grant program and;

WHEREAS, the Conway Police Department needs these funds to enhance security measures at the Communications Center and;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

SECTION 1. The City of Conway shall accept the grant proceeds in the amount of \$25,916 and appropriate from Federal Grant Revenue account (401.121.4200) into the Police Equipment Grant accountable expenditure account (401.121.5950)

SECTION 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 13th day of November, 2012.

Approved:

Mayor Tab Townsell

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



**City of Conway, Arkansas
Ordinance No. O-12-_____**

**AN ORDINANCE ACCEPTING DONATION FUNDS AND APPROPRIATING FUNDS FOR THE CONWAY
FIRE DEPARTMENT; AND FOR OTHER PURPOSES**

WHEREAS, Fred's Department Store has made a donation in the amount of \$618 to the Conway Fire Department for the use of purchasing dress uniform updates;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY,
ARKANSAS THAT:**

Section 1. The City of Conway shall accept the donation fund from Fred's Department Store in the amount of \$618 for the purpose of dress uniform updates.

Section 2. The City of Conway shall appropriate \$618 from the General Fund Revenue Donation Account (001.119.4705) to the Fire Department Uniforms Operating Account (001.131.5670);

Section 3 All ordinances in conflict herewith are repealed to that extent of the conflict.

PASSED this 13th day of November, 2012

Approved:

Mayor Tab Townsell

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



**City of Conway, Arkansas
Ordinance No. O-12-_____**

AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT PROCEEDS AWARDED TO THE CONWAY FIRE DEPARTMENT BOMB SQUAD; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES:

WHEREAS, Conway Fire Department has been awarded a grant (CFDA #97.067) in the amount of \$110,725 by the Arkansas Department of Emergency Management (ADEM) and the Department of Homeland Security Federal Emergency Management Agency (DHS FEMA) submitted under the FY12 Homeland Security Grant Program; and

WHEREAS, the Conway Fire Department Bomb Squad requests acceptance of this grant in order to purchase a robot upgrade, a wireless conversion kit, a remote firing device, and a fire device initiator; and

WHEREAS, the Conway Fire Department Bomb Squad entered the competitive application process in August with only a one week allowance for application entry and;

WHEREAS, this grant is 100% reimbursable to the City of Conway.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

SECTION 1. The City of Conway shall budget grant funds of \$110,725 in the Federal Grant Fund Revenue Account (399.000.4750) and transfer said funds into the Grant Machinery and Equipment expense account (399.131.5910).

SECTION 2. All ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 3. This ordinance is necessary for the protection of the public peace, health, and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 13th day of November, 2012.

Approved:

Mayor Tab Townsell

Attest:

**Michael O. Garrett
City Clerk/Treasurer**



MIKE BEEBE
GOVERNOR

STATE OF ARKANSAS
DEPARTMENT OF EMERGENCY MANAGEMENT



DAVID MAXWELL
DIRECTOR

September 14, 2012

The Honorable Preston Scroggin
Faulkner County Judge
801 Locust Street, Courthouse
Conway, AR 72034

Dear Judge Scroggin:

The Arkansas Department of Emergency Management (ADEM), as the State Administrative Agency (SAA), has received our official award from the Department of Homeland Security Federal Emergency Management Agency (DHS FEMA) for the FY12 Homeland Security Grant Program (HSGP) [CFDA #97.067]. The performance period for the FY12 HSGP is 9/14/2012 – 5/2/2014. The FY12 HSGP consists of two program categories: State Homeland Security Grant Program (SHSGP) and the Law Enforcement Terrorism Prevention Activities (LETPA).

The FY12 HSGP was awarded to local jurisdictions through a competitive application process. Awards were reviewed and scored by a panel selected by the Arkansas Homeland Security Advisory Group.

Please accept this letter as **official notification** of the award for \$ 333,022.93 from the FY12 HSGP:

\$ 111,670.46 SHSGP (Bentonville Bomb Squad)
\$ 110,627.47 LETPA (*Law Enforcement Only*) Bentonville Bomb Squad
\$ 110,725.00 LETPA (*Law Enforcement Only*) Conway Bomb Squad

For your FY12 funding you will need to:

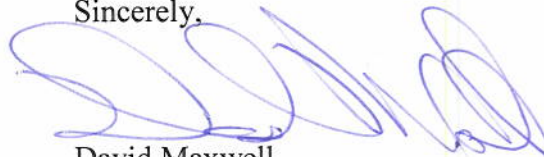
- 1) Review, sign and return the attached Memorandum of Agreement (MOA) signature page to ADEM (fax to 501-683-7890 Attn: HSGP). As a recipient of these funds, your jurisdiction is required to sign the MOA that outlines mutually accepted procedures and guidelines concerning the use of these grants. **The signed MOA must be received by ADEM prior to being released to spend FY12 HSGP funds.** Upon receipt of the signed MOA, you will receive a written notification of the Release to Spend FY12 HSGP.

- 2) Document your Data Universal Numbering System (DUNS) number on the signature page of the attached MOA. **All sub-awardees must provide the DUNS number.**
- 3) Review the approved budget (attached). Funds must be expended in accordance to the approved budget.
- 4) You may be asked to provide certification documents for some types of equipment requests to ensure that properly trained responders will be the recipient of the equipment. An Environmental & Historic Preservation (EHP) Review and/or specific DHS approval may also be required for some items and will be notated on the budget.

You will be eligible to begin spending the FY12 HSGP funds in accordance to the approved budget upon ADEM receipt of the signed MOA and your receipt of the Release to Spend FY12 HSGP Memo. Please address all documents to HSGP.

Should you have any questions, please contact Kathy Wright at (501) 683-6700.

Sincerely,



David Maxwell
Director and State Homeland Security Advisor

cc: Sheila Maxwell

Arkansas Department of Emergency Management

MEMORANDUM OF AGREEMENT

An agreement entered into the 14th day of September, 2012 by and between the Arkansas Department of Emergency Management (ADEM) and Faulkner County, Arkansas, whose governing body will provide a response capability in the event of a weapons of mass destruction (WMD)/terrorism incident.

I. PREAMBLE

The Arkansas Department of Emergency Management (ADEM) is the designated agency for the administration of the Department of Homeland Security Grant Programs. Homeland Security grants provides funds to the State for the specific purpose of purchasing equipment to be used in prevention of or response to WMD/terrorism incidents. ADEM, in turn, has identified Faulkner County, Arkansas as one of the recipients of a portion of these grants for selected equipment, planning, training, exercises as outlined by projects that fall within the scope of the Arkansas State Homeland Security Strategy.

II. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to establish mutually accepted procedures and guidelines concerning the use of this Department of Homeland Security FEMA grant funding and equipment in preparation for, prevention of/or in response to WMD/terrorism incidents.

III. CONCEPT

Faulkner County, Arkansas is recognized by appropriate statutes of the State of Arkansas. In recognition of this fact, along with the current high level of response capability that currently exists within the jurisdiction of Faulkner County involving several first responder elements, ADEM has encouraged the jurisdiction to further develop their local response capability for weapons of mass destruction/terrorism incidents. It is understood that significant effort will be required on the part of Faulkner County, Arkansas et al., to develop the necessary partnerships with local fire, medical, and law enforcement services. It is further understood that the response focus for WMD/terrorism incidents is not only the jurisdictional area of Faulkner County, Arkansas. Therefore use of the equipment is not intended to be limited by jurisdictional boundaries.

IV. MISSION

As a recipient of the grants and equipment referred to in Section II, Faulkner County, Arkansas and ADEM agree that the general mission within the context of this MOA is as follows:

- The mission, as it relates narrowly to the equipment, planning, training and exercise is to prepare for, prevent where possible and be capable of responding to and recovering from a WMD incident whether within or near Faulkner County, Arkansas. This means that the Arkansas State Homeland Security Strategic Plan will be strictly followed in the areas of priorities for equipment purchase.
- Coordinate with appropriate local emergency service providers, including fire, law enforcement, medical, and others deemed necessary by Faulkner County, Arkansas, to establish a credible WMD capability and response.

- Appropriate level training is current or will be in place for those persons designated to respond at a certain level and are in receipt of specialized equipment.

V. EQUIPMENT ACCOUNTABILITY/REPLACEMENT

The special equipment funded by these grants is accountable and will be safeguarded and insured to the same degree as other equipment belonging to Faulkner County, Arkansas and emergency service providers.

Equipment purchased with these HSGP grant funds will remain in good repair so as to be available for a WMD/terrorism incident.

VI. INVENTORY

Semi-annually, Faulkner County, Arkansas agrees that the Point(s) of Contact (POC) designated by the County Judge/City Official will provide an inventory report to ADEM regarding the condition and disposition of equipment funded by these grants.

If for any reason, a semi-annual inventory report is not received at ADEM by January 31 and July 31, ALL grant funds will be withheld until the updated inventory report is received by ADEM.

VII. FUNDS

Funds reimbursed to Faulkner County, Arkansas through the Homeland Security Grant Program ***must be placed in an interest bearing account***. Interest amounts up to \$100 per year for all Federal grants combined may be retained for administrative expenses. While advanced drawdown may be made, all grantees are subject to the interest requirements of the Cash Management Improvement Act (CMIA) and its implementing regulations at 31 C.F.R. Part 205. Interest under CMIA will accrue from the time the funds are credited to the jurisdiction until the time the jurisdiction pays out the funds. Pay out of funds is to be made within 120 days of receipt of funds.

All funds must be expended in accordance with guidance provided by ADEM to the recipient that will include priorities and requirements provided either from DHS/FEMA or through the Arkansas Homeland Security Advisory Group (ARHSAG), Arkansas Homeland Security Executive Committee (ARHSEC) and approved by the Governor.

VIII. SPECIAL CONDITIONS

Article I – Administrative Requirements

The administrative requirements that apply to most DHS award recipients through a grant or cooperative agreement arise from two sources: - Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"), found under FEMA regulations at Title 44, Code of Federal Regulations (CFR) Part 13, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." – OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215. The requirements for allowable costs/cost principles are contained in the A-102 Common Rule, OMB Circular A-110 (2 CFR § 215.27), DHS program legislation, Federal awarding agency regulations, and the terms and conditions of the award. The four cost principles circulars are as follows: - OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220. – OMB Circular A-87,

Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
– OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.
– OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article II – DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree-and require any sub recipients, contractors, successors, transferees, and assignees acknowledge and agree-to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS. 2. Recipients must give DHS access to and the right and examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other specific reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties. 6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office. The United States has the right to seek judicial enforcement of these obligations.

Article III – Lobbying Prohibitions

None of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal of any federal contract, grant, loan, cooperative agreement. These lobbying prohibitions can be found at 31 U.S.C. § 1352.

Article IV – Acknowledgement of Federal Funding from DHS

All recipients of financial assistance will comply with requirements and acknowledge Federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article V - Copyright

All recipients of financial assistance will comply with requirements that publications or other exercise of copyright for any work first produced under Federal financial assistance awards hereto related unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations). For any scientific, technical, or other copyright work based on or containing data first produced under this award, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and

the authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under an award.

Article VI – Use of DHS Seal, Logo and Flags

All recipients of financial assistance must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crest or reproduction of flags or likenesses of Coast Guard officials.

Article VII – Activities Conducted Abroad

All recipients of financial assistance will comply with the requirements that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and the appropriate licenses, permits, or approvals are obtained.

Article VIII – Fly America Act of 1974

All recipients of financial assistance will comply with the requirements of the Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article IX – GPD – Drug-Free Workplace Regulations

All recipients of financial assistance will comply with the requirements of the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for debarment. These regulations are codified at 2 CFR 3001.

Article X – GPD – Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007. In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a sub recipient – (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect; (b) Procures a commercial sex act during the period of time that the award is in effect; or (c) Uses forced labor in the performance of the award or subawards under the award. Full text of the award term is provided at 2 CFR § 175.15.

Article XI – Civil Rights Act of 1964

All recipients of financial assistance will comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article XII – Civil Rights Act of 1968

All recipients of financial assistance will comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article XIII – Americans with Disabilities Act of 1990

All recipients of financial assistance will comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation system, places of public accommodation, and certain testing entities (42 U.S.C. § 12101-12213).

Article XIV – Age Discrimination Act of 1975

All recipients of financial assistance will comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article XV – Title IX of the Education Amendments of 1972

All recipients of financial assistance will comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at 44 CFR Part 19.

Article XVI – Rehabilitation Act of 1973

All recipients of financial assistance will comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely because of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under and program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as the employment.

Article XVII – Limited English Proficiency

All recipients of financial assistance will comply with the requirements of Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding LEP obligations, go to <http://www.lep.gov>.

Article XVIII – Animal Welfare Act of 1966

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), which requires that minimum standards of care

and treatment by provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the human care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

Article XIX – Clean Air Act of 1970 and Clean Water Act of 1977

All recipients of financial assistance will comply with the requirements of 42 U.S.C. § 7401 et seq. and Executive Order 11738, which provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring the maintaining the chemical, physical, and biological integrity of the nation's water is considered research for the other purposes.

Article XX – Protection of Human Subjects

All recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that the recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

Article XXI – National Environmental Policy Act (NEPA) of 1969

All recipients of financial assistance will comply with the requirements of the National Environmental Policy Act (NEPA), as amended, 42 U.S.C. § 4331 et seq., which establishes national policy goals and procedures to protect and enhance the environment, including protection against natural disasters. To comply with NEPA for its grant-supported activities, DHS requires the environmental aspects of construction grants (and certain non-construction projects as specified by the Component and awarding office) to be reviewed and evaluated before final action on the application.

Article XXII – National Flood Insurance Act of 1968

All recipients of financial assistance will comply with the requirements of Section 1306(c) of the National Flood Insurance Act, as amended, which provides for benefit payments under the Standard Flood Insurance Policy for demolition or relocation of a structure insured under the Act that is located along the shore of a lake or other body of water and that is certified by an appropriate State or local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels. These regulations are codified at 44 CFR Part 63.

Article XXIII – Flood Disaster Protection Act of 1973

All recipients of financial assistance will comply with the requirements of the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. § 4001 et seq.), which provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within one year of the identification. The flood insurance purchase requirement applies to both public and

private applicants for DHS support. List of flood prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

Article XXIV – Coastal Wetlands Planning, Protection, and Restoration Act of 1990

All recipients of financial assistance will comply with the requirements of Executive Order 11990, which provides that federally funded construction and improvements minimize the destruction, loss, or degradation of wetlands. The executive Order provides that, in furtherance of Section 101(b)(3) of NEPA (42 U.S.C. § 4331(b)(3)), Federal agencies, to the extent permitted by law, must avoid undertaking or assisting with new construction located in wetlands unless the head of the agency finds that there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In making this finding, the head of the agency may take into account economic, environmental, and other pertinent factors. The public disclosure requirement described above also pertains to early public review of any plans or proposals for new construction in wetlands. This is codified at 44 CFR Part 9.

Article XXV – USA Patriot Act of 2001

All recipients of financial assistance will comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept the Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. § 175-175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by the prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specific materials. "Restricted persons," as defined by the act, may not possess, ship transport, or receive any biological agent or toxin that is listed as a select agent.

Article XXVI - Summary Description of Project

The FY 2012 Homeland Security Grant Program (HSGP) funding plays an important role in the implementation of Presidential Policy Directive – 8 (PPD-8) by supporting the development and sustainment of core capabilities to fulfill the National Preparedness Goal (NPG). HSGP funding shall be used for costs related to the planning, organization, equipment, training, and exercise needed to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events. The HSGP consists of the State Homeland Security Program (SHSGP) and includes the Law Enforcement Terrorism Prevention Activities (LETPA). This program provides an integrated mechanism that builds and sustains core capabilities to support the Nation's Preparedness against terrorist attacks, major disasters and other emergencies.

IX. EXERCISE

To ensure efficiency and effectiveness, Faulkner County, Arkansas agrees to conduct at least one exercise per year utilizing equipment acquired with FY12 HSGP funds. All exercises will be in accordance with the Homeland Security Exercise & Evaluation Program (HSEEP) requirements.

X. RECORDS

Faulkner County, Arkansas agrees to maintain completed records and cost/financial documents for at least three years from the date these grants are officially closed by DHS. All grants are subject to state and federal audit reviews.

XI. Data Universal Numbering System (DUNS)

Faulkner County, Arkansas agrees to provide the required DUNS number prior to receipt of HSGP funds. The DUNS number is the nine digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. No entity may receive a sub award unless the entity has provided its DUNS number.

David Maxwell
Director, Arkansas Department of Emergency Management

Date

The Honorable Preston Scroggin
County Judge, Faulkner County

Date

Data Universal Numbering System (DUNS) Number

City of Conway
 Finance Department
 Tyler Winningham, CFO
 1201 Oak Street
 Conway, AR 72032
www.cityofconway.org

Memo:

To: Mayor Tab Townsell
CC: City Council Members
 Tyler Winningham, CFO
From: Brenda Yarbrough, Finance Department
Date: November 9th, 2012
Re: Disposals of Property

The attached listing details items to be removed from the fixed assets (inventory). I would like to request approval to remove these items from our inventory listing and to dispose of them as each department finds suitable; including online auction, training usage or simply disposing it.

NOVEMBER 2012 DISPOSAL LISTING

TAG#		
CPD	1996 Ford Crown Vic (56329)	auction
CPD	2003 Ford Crown Vic (78889)	auction
AWU	Comdial Phone System - system was replaced	junked
District Court	Ricoh Digital Copier (sn:J0420700375) does not work	junked
CPD	10x5/ single axle trailer sn: AH3101 - seized asset	auction
CPD	18'x21' Metal carport - not structurally sound	auction

Please advise if you have any questions.